

Attorney's Docket No. 35576/270591

PATENT MAINTENANCE
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ozaki Confirmation No.: 2349 2006 APR 18 PM 1:12
Appl. No.: 10/734,019 Group No.: 1752
Filed: December 11, 2003 Examiner: Ashton, Rosette
For: IMAGE-FORMING COMPOSITION AND PHOTSENSITIVE LITHOGRAPHIC PLATE USING SAME

MAIL STOP 16

Director of the US Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND
(Improper Charge of Deposit Account)

1. **REFUND REQUEST:** This is a request for a total refund of \$760.00, specifically for a refund of \$510.00 for Fee Code 2253, and a refund of \$250.00 for Fee Code 2401 with respect to the charges to Deposit Account 16-0605 on March 24, 2006, shown on the enclosed redacted Deposit Account Statement for March 2006, for the above-identified patent application.
2. **EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR:**
We inadvertently fixed a Notice of Appeal and Petition for Extension of time for the above-identified patent application to the USPTO three times on March 23, 2006. We were charged twice for both the Filing Fee for a Notice of Appeal and for the Extension of Time (once on March 24, 2006 and once on March 31, 2006, as shown on the enclosed redacted Deposit Account Statement for March 2006).

The amounts charged on March 24, 2006 for the Petition for Extension of Time is in error, so we request a refund for that charge (\$510.00) plus the duplicate Notice of Appeal charge (\$250.00) also on March 24, 2006. On February 23, 2006, we filed a Petition and Fee for Extension of Time on February 23, 2006 for a two month extension and were charged the \$225.00 fee (small entity). We then filed a Notice of Appeal and Extension of Time on March 23, 2006. The fee charged for the Extension of Time filed March 23, 2006 should have been the difference between the fee previously charged for the two month Extension of Time filed February 23, 2006 and charged February 24, 2006 (see attached redacted Deposit Account Statement for February 2006) and the fee for a three-month Extension of Time for a small entity. The amount charged therefore should have been [\$510.00 (3 month EOT for a small entity) - \$225.00 (2 month EOT) =] \$285.00.

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In re: Ozaki
Appl. No.: 10/734,019
Filed: December 11, 2003

This is also the amount authorized to be charged to the Deposit Account in the Petition and Fee for Extension of Time faxed on March 23, 2006 (attached, see item 3, second checked box).

3. **MANNER OF REFUND:** Please make refund by crediting our Deposit Account No. 16-0605.

Respectfully submitted,



Cynthia V. Hall
Registration No. 56,544

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 581-7000
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Laisha Richardson
Laisha Richardson

4/18/06
Date

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Deposit Account Statement

Requested Statement Month: March 2006
Deposit Account Number: 160605
Name: ALSTON & BIRD LLP
Attention: BANK OF AMERICA
Address: 101 SOUTH TRYON STREET
City: CHARLOTTE
State: NC
Zip: 28280-4000
Country: UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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03/24 86	10734019	035576/270591	2401	\$250.00	\$46,401.00
03/24 87	10734019	035576/270591	2253	\$510.00	\$46,891.00

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03/31 3	10734019	035576/270591	1253	\$285.00	\$32,536.00
03/31 4	10734019	035576/270591	2401	\$250.00	\$32,086.00

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Deposit Account Statement

Requested Statement Month:	February 2006
Deposit Account Number:	160605
Name:	ALSTON & BIRD LLP
Attention:	BANK OF AMERICA
Address:	101 SOUTH TRYON STREET
City:	CHARLOTTE
State:	NC
Zip:	28280-4000
Country:	UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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* 02/24 73 10734018 035576/270591 2262 \$225.00 \$57,071.00

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RESPONSE UNDER 37 C.F.R. 1.110 -
EXPEDITED PROCEDURE - EXAMINING GROUP 1752

Attorney's Docket No. 03576270591

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ozaki Confirmation No.: 2349
 Application No.: 10/734,019 Group No.: 1752
 Filed: December 11, 2003 Examiner: Ashton, Rosemary
 For: IMAGE-FORMING COMPOSITION AND PHOTSENSITIVE
 LITHOGRAPHIC PLATE USING SAME

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

- This is a petition for an extension of time for a total period of three months to respond to the Office Action dated September 23, 2005.
- Applicant is ☒ a small entity; ☐ other than a small entity.
- Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months*	\$2,160.00	\$1,080.00

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

☐ A check in the amount of \$ is enclosed.

☒ Applicant previously paid for a two-month extension on February 23, 2006. Charge Deposit Account No. 16-0605 for the \$285.00 difference between the 2-month and 3-month extension fee for a small entity.

☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

Cynthia V. Hall

Cynthia V. Hall

Registration No. 56,544

Customer No. 00826
 ALSTON & BIRD LLP
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 Shana Moore

3.25.06
 Date

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ALSTON & BIRD LLP

One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
404-881-7000
Fax: 404-881-7777

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April 18, 2006

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CLIENT/MATTER:	35576/70591	OPERATOR:	

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ATL01/12201054v1

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